REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed August 1, 2006. Applicant submits that claims1, 8, 11 and 13 have been amended for better clear without entering any new matter. Claims 3, 4, 10 and 12 are now canceled, while the other claims remain unchanged from their original forms. Reconsideration and allowance of the application and presently pending claims 1-16 are respectfully requested.

About Double Patenting

The Office Action rejected claims 1-16 as being double patenting with the Patent No. 7,015,836. Applicant has submitted a terminal disclaimer to overcome the rejections as being double patenting.

It is believed that the claimed invention recited in claims 1-16 is still distinguishable over the Patent No. 7,015,836 even though some features are similar. In other words, the claimed invention has protected the invention from another point of view. However, the terminal disclaimer is submitted to avoid some potential overlapping with the Patent No. 7,015,836.

Present Application and references

The present application discloses a data decoding method for an optical disk system including extracting 14-bit data from a serial data; looking up a modified EFM

5

decoding table for converting the 14-bit data into a corresponding 8-bit data; and outputting the 8-bit data.

The reference (US Patent No. 6,826,137) discloses a method of recording data on an optical disk that the modified first signal is reproduced as one of a plurality of target signal prior to error correction decoding. The method includes error correction encoding the data prior to the modifying such that the reproduced target signals remain unchanged after error correction decoding.

Claim Rejections-35 U.S.C. §112

Claim 13 is rejected under 35 U.S.C. 112, first and second paragraph.

The Examiner believes that the claim 13 is not supported by the specification and not clear to set "within" the first batch of data. In response thereto, Applicant has amended claim 13 as: "the step of modifying the original first batch of data includes setting the number of first type of logic bits between two neighboring second type of logic bits to ten **when the first batch of data encoded in 14 bits has more than ten first type of logic bits between two neighboring second type of logic bits**" (Emphasis added). As emphasized, correlation descriptions exist in the paragraphs [0019] and [0023] of the specification are believed to support claim 13. As such, applicant submits that amended claim 13 with proper antecedent basis is now clearly and patentable over 35 U.S.C. 112, second paragraph.

Similarly, applicant has amended claim 11 as: "the step of modifying the first

6

batch of data includes setting the number of first type of logic bits between two neighboring second type of logic bits to two **when the first batch of data encoded in 14 bits has less than two first type of logic bits between two neighboring second type of logic bits**" (Emphasis added). As emphasized, correlation descriptions exist in the paragraph [0023] of the specification. As such, applicant submits that amended claim 11 is now clearly.

Claim Rejections-35 U.S.C. §102

Claims 1-11 and 13-16 are rejected under 35 U.S.C. 102 (e) as being anticipated by Lee et al. (US Patent No. 6,826,137).

In response to the rejection thereto, Applicants have amended claims 1 and 8 with newly parts as: "**wherein the first batch of data has less than two or more than ten first type of logic bits between two neighboring second type of logic bits**" (Emphasis added). Applicant submits that the method of claims 1 and 8 can not be read on from Lee's patent.

Referring to lines 45-55 in column 1, prior art teaches that in case of CD-ROM or CD-DA driver, signals read out from the optical discs are fed to an EFM demodulator and then error-corrected in a CIRC decoder fashion... For this reason, Lee teaches that if a code is inputted to the CIRC encoder 10, **two 4-symbol parities which are produced by** original CIRC encoder, **(c,d,e,f) for A code and (g,h,e,f) for B code** are generated and used to produce a modified 4-symbol parity. In case that a CIRC decoder is set such that

7

one symbol is error-corrected, the modified parity of (c,h,e,f) is generated and used in the ECC encoding of test data. As a result, "0x-0xx0-x - - - 0chef" is EFM-modulated (Emphasis added).

However, applicant submits that such a modified rule (less than two or more than ten) for a first batch of data does not conform to a standard modulation rule as set forth in claims 1 and 8 are neither taught, disclosed, nor suggested by Lee. Lee teaches that a modified parity of (c,h,e,f) is generated by combining two 4-symbol parities to form EFM modulated data.

For at least the foregoing reasons, claims 1 and 8 are submitted to be novel and unobvious over Lee, or any of the other cited references, taken alone or in combination, and thus should be allowed.

As to claims 11 and 13, dependant on claim 8, are submitted to be novel and unobvious over Lee for the same reason set forth above. As such, applicant submits that dependent claims 11 and 13 are patentable on the basis of claims 8, and should be allowed.

CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-16 are in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Date : *Oct. 30, 2006*

Respectfully submitted,

Belinda Lee

Belinda Lee

Registration No.: 46,863

Jianq Chyun Intellectual Property Office
7th Floor-1, No. 100
Roosevelt Road, Section 2
Taipei, 100
Taiwan
Tel: 011-886-2-2369-2800
Fax: 011-886-2-2369-7233
Email: belinda@jcipgroup.com.tw
          Usa@jcipgroup.com.tw

9